

 <div style="text-align: center;"> DIVISION OF ADULT INSTITUTIONS POLICY AND PROCEDURES </div>	DAI Policy #: 410.50.01	Page 1 of 4
	Original Effective Date: 04/12/21	New Effective Date: 04/12/21
	Supersedes: N/A	Dated: N/A
	Administrator's Approval: Sarah Cooper, Administrator	
Required Posting or Restricted: <input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 410 Prison Rape Elimination Act		
Subject: Sexual Abuse Incident Review		

POLICY

The Division of Adult Institutions shall ensure facilities conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation where the allegation was substantiated or unsubstantiated.

REFERENCES

34 U.S.C. §30301. Prison Rape Elimination Act of 2003

28 C.F.R § Part 115, *et seq.* National Standards to Prevent, Detect and Respond to Prison Rape

Executive Directive 72 – Sexual Abuse and Sexual Harassment in Confinement (PREA)

DEFINITIONS, ACRONYMS AND FORMS

DOC-2863 – Sexual Abuse Incident Review Form

Employee – Any staff member, contractor or volunteer who performs work inside of a DOC-operated facility.

PREA – Prison Rape Elimination Act

PREA Compliance Manager (PCM) – A designated facility-based employee who has the authority to coordinate the facility's efforts to comply with PREA standards.

Sexual Abuse – Reference Executive Directive 72 for complete definition.

SINC – Sensitive Information Network Communication. The agency's sexual abuse and sexual harassment allegation and investigation tracking database.

Substantiated – An allegation that was investigated and determined to have occurred.

Unsubstantiated – An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

PROCEDURE

I. General Guidelines

- A. The facility-based PCM shall organize and lead the Sexual Abuse Incident Review Team.

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- B. The PCM, in collaboration with the Warden, shall determine the exact composition of the committee based on the nature of the incident. At minimum, team members shall include:
 - 1. Deputy Warden and/or Superintendent.
 - 2. Security Director.
 - 3. PREA Compliance Manager.
 - 4. PSU Supervisor or designee.
 - 5. HSU Supervisor or designee.
 - 6. Victim Services Coordinator.
 - 7. Sexual Abuse Investigator (case specific).

- C. All facilities shall conduct a review within 30 days of the completion of every substantiated and unsubstantiated sexual abuse investigation. The investigation is considered complete upon receiving notification from the PREA Office.

- D. A review shall occur within 30 calendar days of receiving notification from the PREA Office that the investigation is approved.

- E. The team shall be advised in advance of the date, time, and place of the meeting or, depending upon the volume of incident reviews, the PCM shall arrange for a regular, standing meeting.

- F. The review team shall review the documentation surrounding the incident and, at minimum;
 - 1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
 - 2. Consider whether the incident or allegation was motivated by race; ethnicity; actual or perceived gender identity, sexual orientation, or intersex condition; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
 - 3. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
 - 4. Assess the adequacy of staffing levels in that area during different shifts.
 - 5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by employees.

- G. The review team shall document their findings on DOC-2863, which may be accessed and submitted in SINC. Findings shall include:
 - 1. Considerations enumerated in F.1.-5.;
 - 2. Recommendations for improvement;
 - 3. Improvements made;
 - 4. Reasons improvements cannot be made.

- H. The PCM shall modify the DOC-2863 in SINC with applicable updates, for example, as improvements are discussed or implemented.

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Administrator's Approval: _____ **Date Signed:** _____
Sarah Cooper, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
Original Effective Date:	DAI Policy Number:	Page 4 of 4
New Effective Date: 00/00/00	Supersedes Number:	Dated:
Chapter: 410 Prison Rape Elimination Act		
Subject: Sexual Abuse Incident Review		
Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES**DEFINITIONS, ACRONYMS AND FORMS****FACILITY PROCEDURE**

I.

A.

B.

1.

2.

a.

b.

c.

3.

C.

II.

III.

RESPONSIBILITY

I. Staff

II. Inmate

III. Other